

BERANBAUM MENKEN BEN-ASHER & BIERMAN LLP

80 PINE STREET, 32ND FLOOR

NEW YORK, NEW YORK 10005

TELEPHONE: (212) 509-1616

FACSIMILE: (212) 509-8088

WWW.BMBBLAW.COM

JONATHAN BEN-ASHER
JOHN A. BERANBAUM ^o
MARK H. BIERMAN
BRUCE E. MENKEN

JASON J. ROZGER ^a
REBECCA HOULDING ^a
TODD A. KRICHMAR

STEPHEN H. PALITZ
OF COUNSEL

^o ALSO ADMITTED NJ, PA
^a ALSO ADMITTED NJ
^a ALSO ADMITTED PA

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December 27, 2004

BY HAND

Hon. Charles P. Sifton
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Estate of Richard Wolin v. New York City Board of Education et al.
CV 2002-3119(CPS)(MDG)

Dear Judge Sifton:

This office represents the plaintiff, Estate of Richard Wolin ("Plaintiff"), in the above referenced civil action. Enclosed please find a fully executed original stipulation of settlement of the referenced matter which all parties are requesting be "So Ordered" by the Court. This is necessary since settlement contains a provision which was worked out in conferences with Magistrate Go granting the Plaintiff leave to restore the case in the event that the stipulation is not approved by the Surrogate's Court as will be required or certain benefits required to be made by certain non-parties as a condition for the settlement, are not paid.

We also respectfully request that the plaintiff's motion scheduled for argument on December 27, 2004 be marked withdrawn subject to the terms of the stipulation of settlement.

Thank you for your consideration.

Respectfully,

Mark H. Bierman
(MHR-4696)

Encl.

cc: Hon. Marilyn D. Go
United States Magistrate Judge

City of New York, Law Department
Attn.: Chad I. Rosenthal, Esq.(w/o encl.)

New York State United Teachers
Attn.: Christopher Callagry, Esq. (w/o encl.)